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October 25, 2005

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**BY FACSIMILE AND ECF**

Honorable Raymond J. Dearie  
United States District Court Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Memblatt v. Hon. Jaime A. Rios et al.,  
05 CV 1021 (RJD) (LB)

Dear Judge Dearie:

This office represents defendants the Honorable Jaime A. Rios, the Honorable Jonathan Lippman, the Honorable Steven W. Fisher, Lauren DeSole, Anthony D'Angelis, Robert W. Gardner, Sandra Newsome, and Heidi Higgins (collectively "State defendants") in the above-referenced action.

I write with the consent of, and on behalf of all defendants to provide the Court with defendants' proposed briefing schedule for their pending motions to dismiss the complaint. When I spoke with plaintiff this morning, she stated that she was not prepared at the time to give me a response to the proposed briefing schedule as she had several matters to consider including possible employment and that she would get back to me. I spoke with plaintiff again this afternoon, but she was still unable to provide me with a response. To avoid any further delay, I write to the Court with defendants' proposed briefing schedule.

The briefing schedule proposed by defendants is as follows:

- (1) defendants to serve their respective motions by Friday, November 4, 2005;
- (2) plaintiff to serve her responses by Monday, December 5, 2005; and
- (3) defendants to serve their respective replies, if any, by Monday, December 19, 2005.

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Defendants are willing to provide more time to plaintiff to respond to the motions should she require more time.

Currently, the Honorable Lois Bloom, by Order dated October 7, 2005, has directed that defendants respond to the complaint by October 28, 2005. Should the Court be hesitant to so-order the proposed briefing schedule absent plaintiff's input, defendants respectfully request that the Court provide them until Friday, November 4, 2005 to serve their respective motions to dismiss the complaint.

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Speres', with a long horizontal flourish extending to the right.

Constantine A. Speres (CAS-9100)  
Assistant Attorney General

cc. Judith B. Memblatt (Via Federal Express)

Madeleine S. Egelfeld, Esq.  
Attorney for Defendant Koslowitz

John Quinn, Esq.  
Renfro & Quinn  
Attorneys for Defendants Manton, Sweeney and Reich

Honorable Lois Bloom  
United States Magistrate Judge